

00-R-0804

Entered - 10-08-97 - scb
CL97L0617 - GWENDOLYN BURNS

CLAIM OF: LATASHA PUE
through her attorney
CHRISTOPHER G. KNIGHTON
Attorney At Law
741 Piedmont Avenue, NE, Suite 700
Atlanta, GA 30308

For damages alleged to have been sustained as a
result of a bodily injury incident on August 18,
1997 at 1352 Donnelly Avenue.

THIS ADVERSED REPORT IS
APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSE REPORT

P. 5 & LA

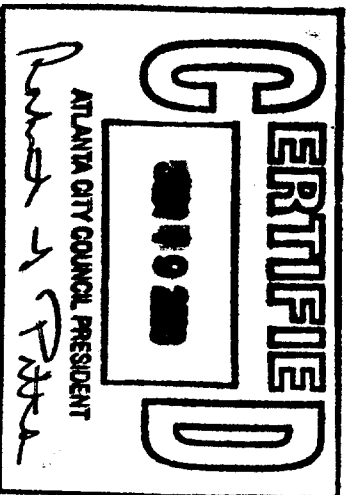
6/13/00

Est. M. M. M.

Christina G. Knighton

Michael B. Knighton

Christina G. Knighton



CERTIFIED
JUN 19 2000

Rosalind Rubens Newell
MUNICIPAL CLERK

ADVERSED BY
CITY COUNCIL JUN 19 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 97L0617

Date: June 1, 2000

Claimant /Victim LATASHA PUE
BY: (Atty) (Ins. Co.) CHRISTOPHER G. KNIGHTON, Attorney At Law
Address: 741 Piedmont Avenue, NE, Suite 700, Atlanta, Georgia 30308
Subrogation: Claim for Property damage \$ Bodily Injury \$ Unspecified
Date of Notice: 9/23/97 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 8/18/97 Place: 1352 Donnelly Avenue
Department WATER Division
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that she sustained bodily injuries when she stepped into a water meter that was left open and in an unsafe condition. However, the claimant has failed to pursue her claim.

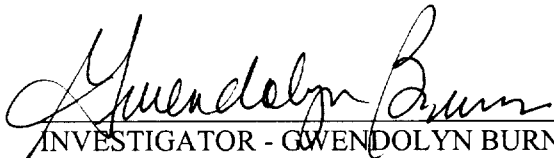
INVESTIGATION:

Statements: City employee X Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other X
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

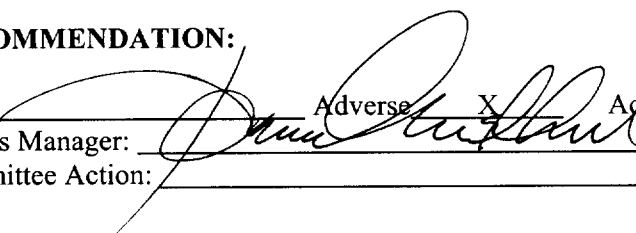
BASIS OF RECOMMENDATION:

Function: Governmental Ministerial X
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned X

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager:  Concur/date 06-01-00
Committee Action: Council Action

DANIEL T. DONOHUE
ATTORNEY AT LAW

SEP 23

Burns
10/06/97
Pue

400 COLONY SQUARE • SUITE 1000 • 10th FLOOR • ATLANTA, GEORGIA 30361 • (404) 892-8903

September 22, 1997

ENTERED - 10-8-97 - scb
97L0617 - GWEN BURNS

COUNCIL OF THE CITY OF ATLANTA
CLERK OF COUNCIL
CITY HALL
68 Mitchell Street, SW
Atlanta, GA 30335

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

CLAIM FOR DAMAGES

RE: Client : Latasha Pue
Date of Incident : 8/18/97
Location : 1352 Donnelly Avenue
Agency : Water Department
Our File Number : 1084

Greetings:

Our firm represent Latasha Pue for personal injuries she sustained when she fell into a hole, where the water meter is housed, that was left uncovered on or about August 18, 1997.

This notice is served in accordance with O.C.G.A. Sec. 36-33-5 (**An Litem Notice**).

- [a] Water Department - personal injury due to negligence
- [b] August 18, 1997 - 10:00 p.m.
- [c] 1352 Donnelly Avenue
- [d] lumbar plexus disorder, post traumatic moderate lumbar strain, contusions.
- [e] Still under the care of her physician and the total amount of her medicals are unavailable at this time. In addition Ms. Pue is enduring much pain and suffering due to the City's negligence. The extent of her pain and suffering is undermined.
- [f] Ms. Pue fell in the hole on her way back from the store.

Sincerely,


Daniel T. Donohue

DTD:mch

00- R -0804

RCS# 2016
6/19/00
2:32 PM

Atlanta City Council

Regular Session

Consent Agenda Pages (1 - 8)

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	B Maddox	Y Alexander
B Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-0795
00-R-0831

PRESIDENT PITTS RECUSED ON 00-
O-0756.

06/19/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
<ol style="list-style-type: none"> 1. 00-O-0756* 2. 00-O-0626 3. 00-O-0749 4. 00-O-0760 5. 00-O-0829 6. 00-O-0836 7. 00-O-0709 8. 00-O-0710 9. 00-R-0750 10. 00-R-0817 11. 00-R-0839 12. 00-R-0529 13. 00-R-0813 14. 00-R-0717 15. 00-R-0823 16. 00-R-0841 17. 00-R-0819 18. 00-R-0822 19. 00-R-0828 20. 00-R-0810 21. 00-R-0856 	<ol style="list-style-type: none"> 22. 00-R-0796 23. 00-R-0797 24. 00-R-0798 25. 00-R-0799 26. 00-R-0800 27. 00-R-0801 28. 00-R-0802 29. 00-R-0803 30. 00-R-0804 31. 00-R-0805 32. 00-R-0806 33. 00-R-0807 34. 00-R-0808 35. 00-R-0809 <p>*PRESIDENT PITTS RECUSED ON 00-O-0756.</p>



**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

**55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103**

July 3, 2000

Christopher G. Knighton
Attorney at Law
741 Piedmont Ave., NE
Suite 700
Atlanta, GA 30308

00-R-0804

RE: Latasha Pue

Dear Attorney Knighton:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on June 19, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department